

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:24-CV-01092-FDW-SCR**

DENISE HAMRICK,

Plaintiff,

v.

**PENNSYLVANIA NATIONAL MUTUAL
CASUALTY INSURANCE COMPANY,**

Defendant.

ORDER

THIS MATTER is before the Court on the parties’ joint consent Motion to Remand. (Doc. No. 5.)

Plaintiff filed suit against Defendant in Superior Court of Union County, and on December 17, 2024, Defendant removed the case to this Court under diversity jurisdiction, pursuant to 28 U.S.C. § 1332(a). (Doc. No. 1.) On January 14, 2025, Plaintiff and Defendant jointly filed a joint consent Motion to Remand the case. (Doc. No. 5.) Plaintiff stipulated that she will not make a claim or seek recovery in excess of \$75,000. (Id., p. 2.) Also, the parties “agree that the Superior Court of Union County is the most appropriate forum.” (Id.)

“If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.” 28 U.S.C. § 1447(c). Based on the parties’ Motion, the Court determines the requirements for diversity jurisdiction are not met in this action. (Doc. No. 5, p. 2.)

IT IS THEREFORE ORDERED that:

1. The parties’ Consent Motion to Remand, (Doc. No. 5), is **GRANTED**.

2. This matter is **REMANDED** pursuant to 28 U.S.C. § 1447(c) to the General Court of Justice Superior Court Division of Union County for further proceedings.
3. The clerk is respectfully directed to close this case and to transmit a certified copy of this Order to the Clerk of the General Court of Justice Superior Court Division of Union County, North Carolina.

IT IS SO ORDERED.

Signed: January 16, 2025

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Senior United States District Judge

